



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2016 REGULAR SESSION

HOUSE BILL NO. 609

TUESDAY, MARCH 15, 2016

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE April 27, 2016
4:46 pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to peace officers.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 61.886 is amended to read as follows:

4 (1) As used in KRS 61.886 to 61.892:

5 (a) "Commission" means the Breaks Interstate Park Commission created in KRS
6 148.220; and

7 (b) "TVA" means the Tennessee Valley Authority.

8 (2) The Tennessee Valley Authority or the Breaks Interstate Park Commission may
9 apply to the Governor for the appointment and commissioning of peace officers.
10 Such persons shall be selected from a list submitted by TVA or the commission to
11 the Governor. The Governor, upon such application being made and upon the
12 payment to the Kentucky State Treasurer~~[him or her]~~ of a one (1) time fee of five
13 dollars (\$5) for each officer to be appointed, shall appoint, for annually renewable
14 terms of one (1) year, such persons or as many thereof as the Governor~~[he or she]~~
15 deems proper to be such peace officers and shall give commissions to those
16 appointed. Appointments and annual renewals of appointments under this
17 subsection shall be subject to approval by the sheriff of each county in which the
18 peace officer will normally operate, not including counties into which he or she may
19 pursue and arrest persons under KRS 61.887. Such commissions shall be recorded
20 in the office of Secretary of State.

21 (3) Upon the request of the commission, the commissioner of the Department of
22 Parks may request the Governor to appoint and commission individuals
23 designated by the commissioner that meet the requirements of Section 3 of this
24 Act as peace officers. The Governor, upon such application being made and upon
25 the payment to the Kentucky State Treasurer of a one (1) time fee of five dollars
26 (\$5) for each officer to be appointed, shall appoint for annually renewable terms
27 of one (1) year such persons or as many thereof as the Governor deems proper to

be such peace officers and shall give commissions to those appointed.
Appointments and annual renewals of appointments under this subsection shall
be subject to approval by the sheriff of each county in which the peace officer will
normally operate, not including counties into which he or she may pursue and
arrest persons under KRS 61.887. Such commissions shall be recorded in the
 office of Secretary of State.

(4) No person shall be eligible for appointment and commission as a TVA or
 commission peace officer unless he or she has established to the satisfaction of the
 Governor that, except for county residency requirements, he or she:

(a) Possesses the qualifications prescribed for nonelective peace officers by KRS
 61.300; and ~~in addition, that he or she~~

(b) Is a resident of Kentucky, or an adjoining state in which TVA or the
 commission operates, and has been for at least two (2) years at the time of his
 or her appointment.

(5) A TVA or commission peace officer shall not be considered a hazardous duty
position within the meaning of KRS 61.592 and shall not be eligible to participate
in the Kentucky Law Enforcement Foundation Program fund unless the officer
meets the requirements of KRS 15.382, 15.404, and 15.440.

➔Section 2. KRS 61.887 is amended to read as follows:

(1) **(a)** Each TVA or commission peace officer appointed and commissioned
 pursuant to KRS 61.886 to 61.892 throughout every county in the
 Commonwealth in which TVA or the commission operates or owns or
 controls property, including leasehold interests:

~~1.{(a)}~~ Shall have and exercise the powers of sheriffs in making arrests for
 public offenses committed upon, about, or against such property or on
 public roads and the rights-of-way passing through or over such
 property;

1 ~~2.{{b}}~~ Shall have and exercise the powers of sheriffs in making arrests in
 2 any situation in which a person is placed in imminent danger of death or
 3 serious injury;

4 ~~3.{{e}}~~ Shall have authority to carry weapons for the reasonable purposes
 5 of his or her office and in performance of his or her assigned duties;

6 ~~4.{{d}}~~ While in pursuit of a person fleeing after committing an act
 7 described in subparagraph 1. or 2. of this paragraph~~[(a) or (b) of this~~
 8 subsection], may pursue the person and make arrest anywhere in the
 9 Commonwealth; and

10 ~~5.{{e}}~~ Shall be subject to all the liabilities of sheriffs.

11 **(b) In addition to the powers enumerated in paragraph (a) of this subsection,**
 12 **commission peace officers shall have the power to enforce the rules and**
 13 **regulations of the commission.**

- 14 (2) TVA officers or commission peace officers appointed and commissioned pursuant
 15 to KRS 61.886 to 61.892 may, throughout any county in the Commonwealth in
 16 which TVA or the commission operates or owns or controls property, including
 17 leasehold interests, have and exercise the powers of sheriff in that county if the
 18 sheriff of that county provides prior written authorization to the TVA or
 19 commission defining the extent of supplemental authority being granted. Any
 20 supplemental authority granted pursuant to this subsection shall expire with the
 21 officer's commission granted under KRS 61.886 and may be renewed, as provided
 22 in this subsection, upon renewal of the commission authorized under KRS 61.886.
- 23 (3) When countywide authority has not been granted under subsection (2) of this
 24 section, a sheriff of a county in which the TVA or commission has property, the
 25 chief of police of a city within the county, or the commissioner of the Department of
 26 Kentucky State Police may extend peace officer authority within the city or county,
 27 as appropriate, during a disaster or other emergency.

1 ➔SECTION 3. A NEW SECTION OF KRS 61.886 TO 61.892 IS CREATED TO
2 READ AS FOLLOWS:


3 (1) The commissioner of the Department of Parks shall ensure that an employee of
4 the commission that is being recommended by the commission to be appointed
5 and commissioned in accordance with subsection (3) of Section 1 of this Act
6 shall:

7 (a) Meet the minimum qualifications of subsection (4) of Section 1 of this Act;

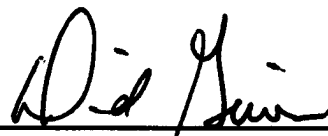
8 (b) Abide by the Department of Parks' law enforcement in-service training
9 requirements, if any; and

10 (c) Abide by the law enforcement directive of the Department of Parks, unless
11 exceptions by the department are granted in writing.

12 (2) Expenses associated with training and equipping an employee of the commission
13 as a commission peace officer to the Department of Parks' standards shall be
14 paid by the commission unless otherwise agreed upon by the department.



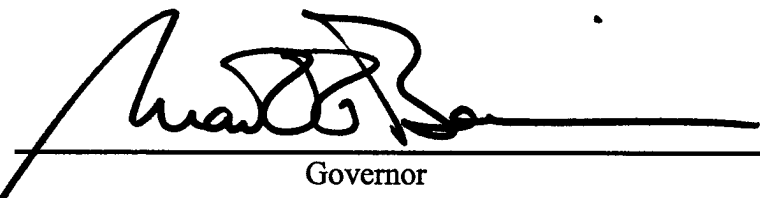
Speaker House of Representatives



President of Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 27 APRIL 2016